



Entered on Docket  
September 23, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Order Sustaining Thirteenth Omnibus  
Objection Of USACM Trust To  
Unallocated Amounts of Proofs Of Claim**

Hearing Date: August 30, 2011

Hearing Time: 10:30 a.m.

The Court having considered the "Thirteenth Omnibus Objection Of USACM Trust To Unallocated Amounts of Proofs Of Claim ("Unallocated Amount") [DE 8709] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; and good cause appearing:

1           **IT IS ORDERED** that:

2           1.     The Objection [DE 8709] is sustained;

3           2.     The Proofs of Claim listed on **Exhibit A** attached are disallowed to the  
4 extent the amount of the claim as stated on the face of proof of claim exceeds the amount  
5 of the claim supported by the documentation provided with the proof of claim, i.e, the  
6 Unallocated Amount as shown on **Exhibit A** attached; and

7           3.     This order concerns only the Unallocated Amount of the claim and not any  
8 other claim of the claimants.

9  
10          PREPARED AND RESPECTFULLY SUBMITTED BY:

11          **LEWIS AND ROCA LLP**

12  
13          By /s/ John Hinderaker (AZ #018024)

14                 Robert M. Charles, Jr.

15                 John Hinderaker (*pro hac vice*)

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20                 *Attorneys for USACM Liquidating Trust*

## LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

\_\_\_\_\_ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

\_\_\_\_\_ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: \_\_\_\_\_

\_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:  
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)  
Attorneys for USACM Liquidating Trust

# # #

**USACM Trust**  
**Unallocated Amounts Of Proofs Of Claim**  
**Multiple Loan Claims**

<b>Claim</b>	<b>Date Claim was Filed</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Approximate Amount Subject to Objection Because The Trust Could Not Allocate Amount to a Specific Direct Lender Loan</b>
10725-02071	1/11/2007	Rodriguez, Robert R	5748 Newberry Point Dr. Flower Branch, GA 30542	329,977.39	4,977.39
10725-02281	1/12/2007	Roisentul Family Trust	Saul & Ilene Roisentul Trustees 74075 Kokopelli Cir Palm Desert, CA 92211-2075	840,536.32	3,686.52
10725-00144	8/15/2006	Roloff, Rodney & Sharyn	Law Offices Of James G Schwartz 7901 Stoneridge Drive Suite 401 Pleasanton, CA 94583	171,250.00	1,250.00
10725-02331	1/13/2007	Romonoski, Maury	4429 Peaceful Morning Ln Las Vegas, NV 89129	250,000.00	62,096.79
10725-01410	12/4/2006	Ronning, Grable B	P.O. Box 7804 Incline Village, 89452-7804	112,159.00	37,159.00
10725-02033	1/11/2007	Ruth Zimmerman & Moshe Kirsh Jtwros	15721 Milbank St Encino, CA 91436	244,311.94	2,155.97
10725-02149	1/12/2007	Schnitzer Living Trust Dtd 10/24/91	Arthur F & Linn S Schnitzer Ttees 20155 NE 38Th Ct, #1604 Aventura, FL 33180	3,549,806.80	24,903.40
10725-01036	11/6/2006	Sierra West Inc	Po Box 8346 Incline Village, NV 89452-8346	425,583.32	17,558.47
10725-01909	1/10/2007	Simon Ttees Of Simon Family Tr 2000, Alan & Carol	1800 Waldman Ave Las Vegas, NV 89102-2437	202,866.68	268.37
10725-01966	1/10/2007	Skip & Mary Harouff Trust Dtd 12/5/95	Mary Ann & Dwight W Harouff Ttees 5680 Ruffian Street Las Vegas, NV 89149	626,556.78	3,278.39
10725-01415	12/4/2006	Spectrum Capital Llc	6167 Jarvis Ave # 304 Newark, CA 94560-1210	40,131.24	1,087.60

**EXHIBIT A**

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